HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 19178 of 2005

Dated: 22nd September, 2005

Between:

P. Shivakumar Reddy S/o. Late P.Babul Reddy,

R/o. Banjara Hills, Road No.10, Hyderabad.

..... PETITIONER

AND

1. Municipal Corporation of Hyderabad rep. by

the Commissioner, having office at Tankbund,

Hyderabad and others.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 19178 of 2005

ORDER:

This writ petition has been filed by P.Shivakumar Reddy with a prayer to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in taking steps to demolish his building without following the due process of law as illegal and arbitrary.

2. Even though the matter is listed under the caption “interlocutory” to consider W.P.M.P.No.24413 of 2005, which is an application filed by the petitioner to grant

interim direction to the respondents not to demolish the structures, with the consent of both parties, the writ petition itself is taken up for hearing.

3. Heard learned counsel appearing for the petitioner and learned Standing Counsel for Municipal Corporation of Hyderabad appearing for the respondents.

4. This writ petition is filed seeking a Mandamus to direct the respondents to initiate the land acquisition proceedings in respect of the land admeasuring 130.69 sq. meters and structures thereon belonging to the petitioner, which are required to be acquired for road widening.

5. Learned Counsel appearing for the petitioner submits that the petitioner has no objection if the respondents follow the procedure as contemplated under Sections 146 and 147 of the Hyderabad Municipal Corporation Act for acquiring the land and structures thereon belonging to him for the purpose of road widening.

6. In that view of the matter, I deem it appropriate to direct the respondents to follow the procedure contemplated under Sections 146 and 147 of the Hyderabad Municipal Corporation Act in case the land and structures thereon belonging to the petitioner are required to be acquired for the purpose of road widening.

7. With the above direction, the writ petition is disposed of. No costs.

_____

B.SESHASAYANA REDDY, J.

Dated: 22nd September, 2005.

Note:

Issue C.C. within a week.

B/O

cs